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LETTER DATED 27 OCTOBER 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the United Nations Mission for the Referendum in Western Sahara (MINURSO) and its continuing efforts to implement the United Nations Settlement Plan for that territory.

On several recent occasions the Security Council has expressed concern over the slow progress in implementing the Plan and in particular over the delays in completing the identification process. I share that concern. The purpose of this letter is to inform the members of the Security Council of decisions which I have taken to accelerate identification. Both parties and the Organization of African Unity (OAU) have been informed of those decisions.

The delays which have taken place have to a considerable extent been due to the complexities of the procedures for identification which I put forward in July 1993 (S/26185). Those procedures have inter alia required that identification take place only in the presence of (a) a representative of each of the parties, (b) a sheikh nominated by each party and (c) an observer of the OAU. In many cases identification has had to be suspended, or has not started, because of the absence of one or more of these persons. The decisions described in this letter are intended to simplify these aspects of the procedures.

Hitherto identification has taken place in the Territory and in the camps near Tindouf and in the Tindouf area. Some work remains to be done in those areas but most of the applicants who remain to be considered by the Identification Commission are resident in Morocco and Mauritania. A comprehensive effort will now be launched in all these areas. As in the past, the parties will be invited to send representatives to observe the proceedings at all identification centres and to present sheikhs or alternates. An OAU observer will also be asked to attend.

In the case of the 85 subfractions for which the list of sheikhs and alternates has already been established, the previous practice will be followed at identification centres inside the Territory and in the camps, with the following exception. If a party representative, a sheikh and/or the OAU observer is absent, identification will nevertheless proceed, provided that the

schedule for identification has been duly communicated to the parties, the convocation lists have been issued and the hours of work have been announced.

In the case of the other three tribal groupings (H41, H61 and J51/52), and in the case of all identification which takes place outside the Territory and the camps, the procedure will be modified. In these areas also, identification will proceed even if a party representative, a sheikh and/or the OAU observer is absent. While the sheikh who is present will be able to assist in identifying the applicant, the latter's claim for inclusion in the electoral roll, under any of the five criteria, will be evaluated on the basis of documentary evidence.

Two documents will be required for this purpose: first, a birth certificate issued by the competent authorities in the country of the applicant's birth to substantiate that he or she is the child of a father born in the Territory or has other links with the Territory; and secondly, a document issued by the competent authorities within the internationally recognized frontiers of the Territory before 1974 to substantiate the father's birth in the Territory.

I am convinced that the modified procedures described above must now be put into effect and that they will neither impair the reliability of identification nor undermine the recourse procedures provided for in the Identification Commission's terms of reference (S/26185, annex II). I have therefore instructed my Acting Special Representative to proceed accordingly. I rely on the cooperation of the two parties in order to help MINURSO overcome the delays which have rightly been of concern to the Security Council.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI